

IN THE SENATE OF THE UNITED STATES.

MARCH 9, 1858.—Ordered to be printed.

Mr. HARLAN submitted the following

REPORT.

The Committee on Public Lands, to whom was referred the petition of citizens of Taylor county, in the State of Iowa, praying to be allowed to enter certain lands on which they had settled, at the minimum price, have instructed me to report that they have had the same under consideration, and have conferred with the Commissioner of the General Land Office in relation thereto, (whose letter is hereto appended and made a part of this report,) from which it will appear that no legislation on the subject is at present necessary; they, therefore, report such petition back to the Senate, and ask that the committee be discharged from the further consideration of the subject.

GENERAL LAND OFFICE,
February 24, 1858.

SIR: I have examined the petition of certain citizens of Taylor county, Iowa, relative to their pre-emption claims in township sixty-nine, within the fifteen mile limits of the Burlington and Missouri River Railroad, and, with reference thereto, have the honor to state that a large portion of said township, embraced in Taylor county, lies *outside* of the fifteen mile limits of the above named road, and has not been withdrawn from pre-emption.

With reference to the pre-emption claims which have been made upon sub-divisions of land lying *inside* of the fifteen mile limits of the railroad, I have to state that many of them will, it is believed, be adjudicated by this office in favor of the settlers, under existing laws—1st. Where settlements were made on even-numbered sections within said limits *prior* to the filing of the certified maps of survey of the route in the district office, the claims will be held good; provided, of course, all the requirements of the act of 4th September, 1841, are met. 2d. Where settlements were made on the *odd-numbered* sections outside of the —, and within the fifteen mile limits, prior to the 10th day of September, 1856, the claims will likewise be held good.

Claims upon the even and odd-numbered sections based upon settlements made subsequent to the foregoing periods, respectively, cannot be recognized by this office, for the reasons—1st. By my instructions *all* the lands within railroad limits were *absolutely* withdrawn from pre-emption settlement from and after the date of the filing in the district offices of the certified maps of survey of the several routes. 2d. On the 10th of September, 1856, official notification was given to this office of the selection, by the State agent, of the odd-numbered sections outside of the six and within the fifteen mile limits of the different railroad routes, for the benefit of the State, in pursuance of the act of 15th May, 1856; and after said selection, the vacant lands in said odd-numbered sections were no longer subject to pre-emption settlement.

As the petitioners hereinbefore alluded to have not specified the tracts of land upon which they have settled, I am unable to report *what* new legislation, if any, is needed for their relief. No doubt many honest settlers have made improvements on the even-numbered sections of land within railroad limits since the absolute withdrawal, for whom this office cannot provide relief, and whose claims are meritorious subjects of legislation.

Herewith is returned the petition under consideration.

With great respect, your obedient servant,

THOS. A. HENDRICKS,
Commissioner.

Hon. JAMES HARLAN,
United States Senate.